

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
NAKED WHEY, INC., doing business as NAKED
NUTRITION,

Plaintiff,

-against-

WUNDERKIND CORPORATION,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
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DATE FILED: 1/6/2023

22 Civ. 9614 (AT)

ORDER

The Court has reviewed Plaintiff's letter dated January 6, 2023. ECF No. 22. On January 5, 2023, Plaintiff requested an adjournment of the parties' deadline to submit a joint letter and proposed case management plan because defense counsel has not yet appeared in the action. *See* ECF No. 20. On January 6, 2023, the Court granted Plaintiff's request for an extension, set the parties' deadline to submit a joint letter and proposed case management plan for January 18, 2023, and ordered counsel for Defendant, Wunderkind Corporation, to file a notice of appearance by January 11, 2023. ECF No. 21. Later that day, Plaintiff filed a letter notifying the Court that, "[w]hile counsel for [Plaintiff] has spoken directly with in-house counsel for [Defendant], [counsel for Plaintiff] ha[s] not spoken with any counsel retained by [Defendant] (if any) for the purpose of defending this action." ECF No. 22 n.1; *see also* ECF No. 15 (letter dated December 7, 2022, filed by Plaintiff "[o]n behalf of the parties" stating that "[c]ounsel for [Defendant] Wunderkind [Corporation], David MacCallum, join[ed] in [a] request" for an extension of time for Defendant "to answer, move, or otherwise respond to the complaint"). Plaintiff now requests "that the Court adjourn the deadline for [Defendant] to file a notice of appearance until January 18, 2023, and that the parties' deadline for submission of the joint proposals be adjourned to a date thereafter." ECF No. 22.

Plaintiff's request is GRANTED in part and DENIED in part. By **January 18, 2023**, defense counsel shall file a notice of appearance in this action. By **February 1, 2023**, the parties shall submit their joint letter and proposed case management plan.

SO ORDERED.

Dated: January 6, 2023
New York, New York



ANALISA TORRES
United States District Judge